

**REMARKS**

Claims 1-4 and 6-11 are pending in this application. Reconsideration of the rejections in view of these amendments and the following remarks is respectfully requested.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with Markings to Show Changes Made.**"

(1) The specification was objected because some trademarks, e.g., Viscol 660P, are not capitalized. Amendments in the specification are believed to cure the objection.

The specification was objected as failing to provide proper antecedent basis for the claimed subject matter. Amendments in claim 6 and the paragraph from page 8, line 19 to page 20, line 9, are made, which are believed to cure the objection. The basis of the amendments is found in original claim 6.

(2) Claims 9-11 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Amendment in claim 9 is believed to overcome the rejection.

(3) Claims 1-4 and 6 were rejected under 35 U.S.C. 102(e) as being anticipated by US 2001/0033982 by Ishikawa.

Claim 1 is amended to list specific pigments. The basis of the amendment is found at page 19, line 6 to page 21, line 5. The organic pigments as defined in amended claim 1 are not disclosed in Ishikawa, so the rejection should be withdrawn.

(4) Claims 1-7 were rejected under 35U.S.C. 102(b) as being anticipated by US 6,063,537 of Nakamura.

Claim 1 is amended to list specific pigments disclosed in the specification. The organic pigments as defined in amended claim 1 are not disclosed in Nakamura, so the rejection should be withdrawn.

(5) Claims 1-7 were rejected under 35 U.S.C. 102(e) as being anticipated by US 6,265,125 of Anno.

Claim 1 is amended to list specific pigments disclosed in the specification. The organic pigments as defined in amended claim 1 are not disclosed in Anno, so the rejection should be withdrawn.

(6) Claims 8-11 were rejected under 35 U.S.C.103(a) as being unpatentable over Anno combined with US 6,183,924 of Nomura.

Claim 8 is amended to define the specific organic pigments in claim 1. The organic pigments defined in claim 8 are distinct from Anno. Even if combining Anno with Nomura, the present invention defined in claim 8 cannot be obtained, so the rejection should be withdrawn.

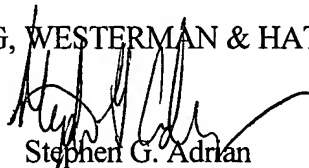
(7) It is submitted that nothing in the cited references, taken either alone or in combination, teaches or suggests all the features recited in each claim of the present invention. Thus, all pending claims are in condition for allowance. Reconsideration of the rejections, withdrawal of the rejections and an early issue of a Notice of Allowance are earnestly solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Version with markings to show changes made

**VERSION WITH MARKINGS TO SHOW CHANGES MADE 10/082,089**

**IN THE SPECIFICATION:**

The paragraph beginning at **page 8, line 19**, has been amended as follows:

The present invention will now be described in detail. The dry color toner for electrostatic image development of the present invention comprises at least a binder resin and an organic pigment of the formula 1, and the binder resin employed in the present invention is not specifically limited as long as it does not interfere with the objects of the present invention. Specific examples thereof include vinyl copolymer resin such as polystyrene resin, styrene-acrylic resin, or styrene-butadiene resin, and polyester resin, epoxy resin, butyral resin, xylene resin, and coumarone-indene resin. Among these binder resins, vinyl copolymer resin [~~and~~] and/or polyester resin are preferred, and polyester resin can be employed particularly preferably because of its good balance between the fixing properties, anti-offset properties and transparency.

The paragraph beginning at **page 17, line 17**, has been amended as follows:

Employing the above apparatus, the measurement is conducted under the following conditions.

(1) Preparation of suspension of toner particles

To 20 g of water, 0.1 g of a surfactant (~~[L-Clear]~~ L-CLEAR, manufactured by CHUGAI PHOTO CHEMICAL Co., Ltd.) was added and 0.04 g of the toner as the sample was added. Employing an ultrasonic dispersing machine, toner particles are suspended in water.

(2) Measuring conditions

Measuring temperature: 25°C

Measuring humidity: 60%

Number of toner particles measured: 5000±2000 particles

The paragraph beginning at **page 26, line 3**, has been amended as follows:

In the present invention, a colorless charge control agent is preferably used. As the negative charge control agent, BONTORON E-84 (manufactured by Orient Chemical) as a metal complex compound of salicylic acid can be preferably used. As the colorless positive charge control agent, those having a quaternary ammonium salt structure, for example, TP-302, TP-415 and TP-610 (manufactured by Hodogaya Chemical Industries Co., Ltd.), BONTORON P-21 (manufactured by Orient Chemical), and ~~[Copy Charge PSY]~~ COPY CHARGE PSY (manufactured by Clariant Japan) are preferably used. Examples of the positive charge control agent having quaternary ammonium groups and/or amino groups include "FCA-201-PS" (manufactured by Fujikura Chemicals Co., Ltd.).

The paragraph beginning at **page 38, line 3**, has been amended as follows:

In the method of the present invention, high shear emulsification/dispersion apparatuses and continuous emulsification/dispersion apparatuses can be employed, such as a Homomixer (produced by Tokushu Kika Kogyo Co., Ltd.), a Slasher (produced by Mitsui Mining Co., Ltd.), a Cavitron (produced by Eurotec, Ltd.), a Microfluidizer (produced by Mizuho Kogyo Co., Ltd.), a Munton-Golin Homogenizer (produced by Golin Co.), a ~~[Nanomizer]~~ NANOMIZER (produced by Nanomizer Co., Ltd.), a Static

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Mixer (produced by Noritake Company) and the like.

The paragraph beginning at **page 46, line 15**, has been amended as follows:

Releasants shown in Table 2 are as follows.

Synthetic ester: tetrabehenate ester of pentaerythritol

Carnauba wax: purified carnauba wax No. 1 (manufactured by CERA RICA NODA Limited, acid number: 5)

PP: “[~~Viscol~~] VISCOL 660P” (polypropylene wax produced by Sanyo Chemicals).

The paragraph beginning at **page 47, line 9**, has been amended as follows:

Colorants shown in Table 3 are as follows.

C.I.PIGMENT RED 57:1; [~~Symuler Brilliant Carmin~~] SYMULER BRILLIANT CARMIN 6B 285  
(manufactured by Dainippon Ink and Chemicals, Inc.)

C.I.PIGMENT RED 122; [~~Fastogen Super Magenta~~] FASTOGEN SUPER MAGENTA R (manufactured by Dainippon Ink and Chemicals, Inc.)

The paragraph beginning at **page 54, the first line**, has been amended as follows:

(Fixation properties test)

With respect to the fixation temperature range, the fixation temperature was determined by the following fixation properties test and the range between the upper limit and the lower limit was taken as the fixation temperature range. Employing each of the powdered toners of the Examples and Comparative

Examples, the respective test samples were made by forming an unfixed image on a paper by a transformed printer that employs a commercially available organic semiconductor as a photosensitive material, and then fixed by passing through a heat roller (oilless type) [~~Richo Imadio~~] RICHO IMADIO DA-250 at a speed of 90 mm/second, and then a Cellophane tape was applied on the image after fixation. The surface temperature range of the heat roller when ID (image density) after peeling is 90% or more of the original ID and offset does not occur was defined as a "fixation temperature". The results are shown in Table 6.

The paragraph beginning at **page 56, line 6**, has been amended as follows:

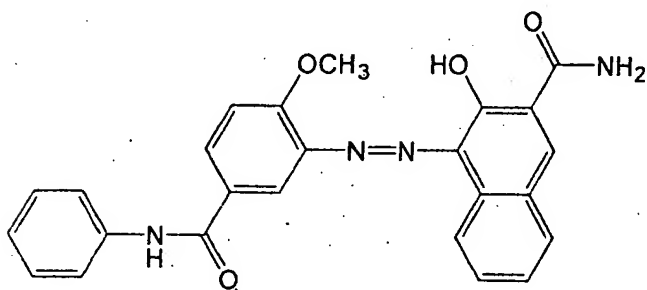
(Method of evaluating OHP sharpness)

A non-fixed image due to a color toner was formed on an OHP sheet and the non-fixed image was fixed by a separately prepared fixing tester. The OHP sheet was fixed by passing through a heat roller (oilless type) [~~Richo Imadio~~] RICHO IMADIO DA-250 at a heat roller temperature of 160°C at a speed of 90 mm/second. A black-printed OHP sheet was placed on the OHP sheet made in the above procedure and was projected on a screen by an overhead projector, and then the sharpness of letters was visually observed. The results were evaluated by the following criteria.

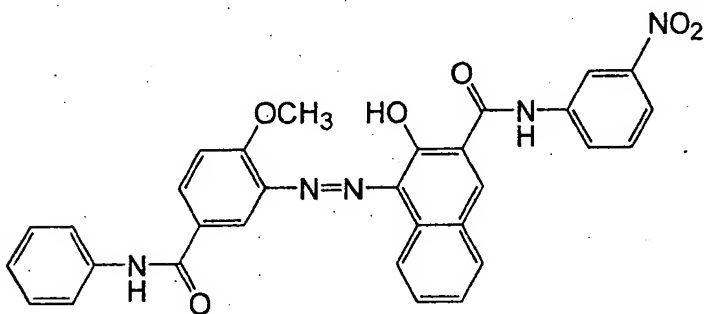
**IN THE CLAIMS:**

Please **AMEND** the claims **1, 6, 8, and 9** as follows:

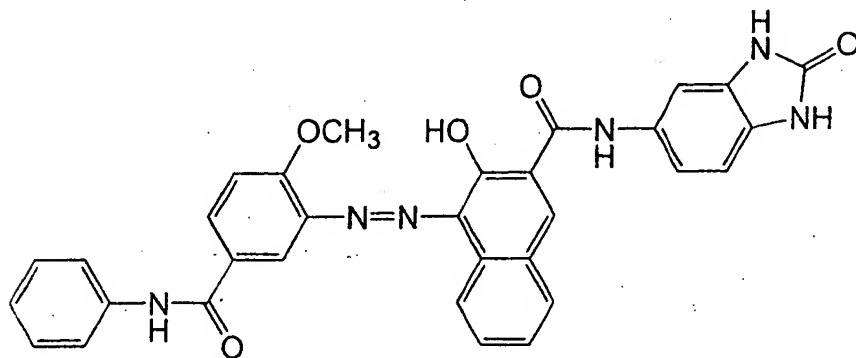
1. (Amended) A spherical dry color toner for electrostatic image development, comprising a binder resin and an organic pigment dispersed finely in the binder resin, wherein the organic pigment is an organic pigment represented by ~~[the formula 1]~~ any one of formulas 3, 4 and 6-9:



(Formula 3)

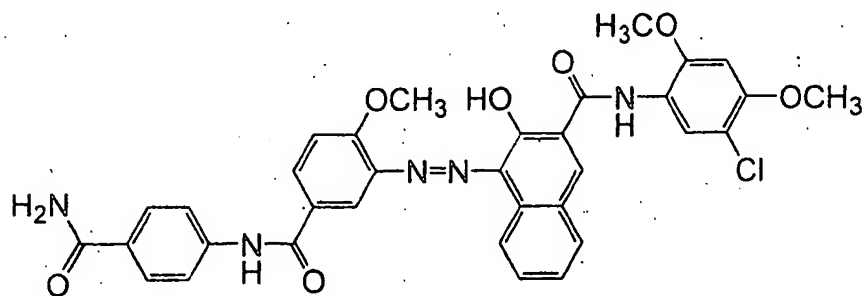


(Formula 4)

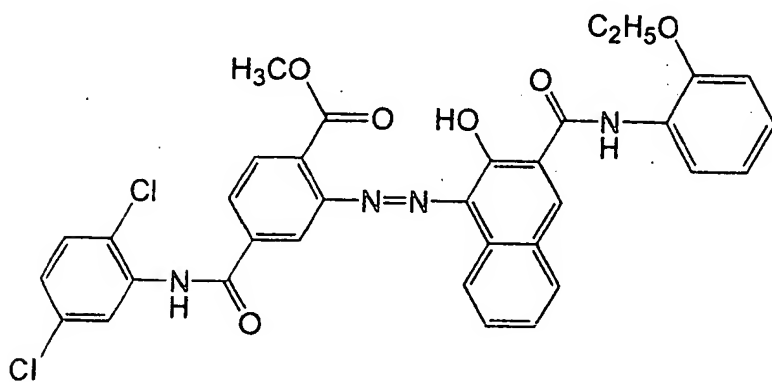


(Formula 6)

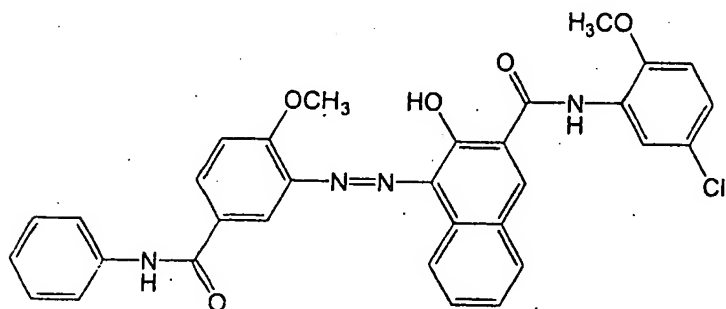




(Formula 7)



(Formula 8)



(Formula 9)

wherein R<sub>1</sub> represents a non-substituted phenyl group or a phenyl group having a substituent, R represents hydrogen, a non-substituted phenyl group or a phenyl group having a substituent, and R<sub>3</sub> represents an alkoxy group or an ester group.

6. (Amended) A spherical dry color toner for electrostatic image development according to claim 1, wherein the binder resin is [a] at least one selected from the group consisting of polyester resin and [or a] vinyl copolymer resin.

8. (Amended) A method of producing the spherical dry color toner for electrostatic image development of claim 1, which comprises mixing a mixture containing a binder resin having a carboxyl group and an organic pigment represented by [~~the formula 1~~] any one of the formulas 3, 4 and 6-9 with an aqueous medium in the presence of a base to prepare a colored particle suspension containing the mixture, as color particles, emulsified in the aqueous medium, separating the colored particles from the colored particle suspension, and drying the colored particles.

9. (Amended) A method of producing the spherical dry color toner for electrostatic image development according to claim 8, wherein the mixture is prepared by previously dissolving or dispersing [a] the binder resin and [a-colorant ] the organic pigment in an organic solvent and then the resulting solution or dispersion is mixed with an aqueous medium.